

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Viktor Menart et al.
Application No.: 10/583,157
Filing Date: June 16, 2006
Confirmation No.: 5099
Title: A Pharmaceutical Composition Comprising an Active Principal and Sulphobetaine
Examiner: Woodward, Cherie Michelle
Group Art Unit: 1647

COMMUNICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is submitted in response to the Office Action dated April 7, 2009, which asserted that the amendment filed on January 21, 2009, was not fully responsive to the previous Office Action of August 19, 2008, because it did not include a terminal disclaimer in light of the provisional double patenting rejections based upon the claims of copending applications numbers 10/522,826 and 10/577,285.

In response to the Office Action, the Applicants submit herewith Terminal Disclaimers over copending applications numbers 10/522,826 and 10/577,285. These Terminal Disclaimers are submitted herewith in order to advance the prosecution of the case and without acknowledging the propriety of the Examiner's provisional obviousness-type double patenting rejections.

In the event this response is not timely filed, Applicants hereby petition for the appropriate extension of time and request that the fee for the extension along with any other fees which may be due with respect to this paper be charged to our Deposit Account No. 12-2355.

Respectfully submitted,

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Date: June 18, 2009
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